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4T:1722  
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Attorney Docket No. 960253CIP/HG

**IN THE UNITED STATES PATENT  
 AND TRADEMARK OFFICE**

Applicants : Mitsuru ADACHI et al.  
 Serial No. : 09/490,983  
 Filed : January 24, 2000  
 For : METHOD AND APPARATUS FOR  
 SHAPING SEMISOLID METALS  
 Art Unit : 1722  
 Examiner : Lin

Express Mail Mailing Label  
 No.: EV 215 859 238 US  
 Date of Deposit: October 7, 2002  
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 Washington, D.C. 20231

*Dorothy DeFrancesco*  
 Dorothy DeFrancesco

In the event that this Paper is late  
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 concurrently herewith, please  
 consider this as a Petition for the  
 requisite extension of time, and to  
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 attached hereto, authorization to  
 charge the extension fee, or any  
 other fee required in connection  
 with this Paper to Account No.  
 06-1378.

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
 Washington, D.C. 20231

S I R :

The present application is a CIP of (i) application Serial  
 No. 08/672,378 and (ii) application Serial No. 08/967,136.

Submitted herewith are the following:

(1) A copy of each of a Communication of a Notice of  
 Opposition dated May 14, 2002 and a Notice of Opposition to a  
 European Patent filed by Alcan International Limited in the  
 European application (EP 0841406) corresponding to applicants'  
 U.S. parent application Serial No. 08/967,136;

(2) Forms PTO/SB/08A and PTO/SB/08B. It is requested that  
 an initialed copy of each of said Forms PTO/SB/08A and PTO/SB/08B  
 be returned to indicate that the publications listed therein have  
 been considered and made of record; and

10/24/02 JTUNSTA 0000001 061378 09/19/983  
 01 FC:1806 180.00 CH

Adjustment Date: 11/18/2005 SDIRETA1  
 10/24/2002 JTUNSTA 00000001 061378 09490983  
 01 FC:1806 180.00 CR

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(3) Copies of the publications cited in said Forms PTO/SB/08A and PTO/SB/08B. Each of the cited publications is considered relevant or material to the patentability of the present invention in view of the citation thereof in said Notice of Opposition.

Said Notice of Opposition is in English, thereby satisfying the requirements for a concise explanation of relevance.

A copy of each of EP 719606 and EP 392998 are not provided, since copies of EP 719606 and EP 392998 were provided in applicants' INFORMATION DISCLOSURE STATEMENT filed January 24, 2000.

It is respectfully requested that the attached publications be considered and made of record.

Respectfully submitted,



RICHARD S. BARTH  
REG. NO. 28,180

FRISHAUF, HOLTZ, GOODMAN & CHICK, P.C.  
767 THIRD AVENUE - 25TH FLOOR  
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Tel. No. (212) 319-4900  
Fax No. (212) 319-5101  
RSB/ddf

- Encs.: (1) Copy of Notice of Opposition dated May 14, 2002
- (2) Copy of Notice of Opposition to a European Patent
- (3) Forms PTO/SB/08A and PTO/SB/08B
- (4) Publications identified therein

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Attorney Docket No. 960253CIP/HG

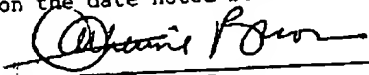
**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

2005 OCT 12 PM 3:47

Inventor : Mitsuru ADACHI et al  
Patent No. : 6,769,473  
Issued : August 3, 2004  
Serial No. : 09/490,983  
Filed : January 24, 2000  
For : METHOD AND APPARATUS FOR  
SHAPING SEMISOLID METALS

**CERTIFICATE OF MAILING**

I hereby certify this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to: Director of the US Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313 on the date noted below.

  
Catherine Bacon

Dated: October 7, 2005

**ATTENTION:** MAIL STOP 16 - REFUNDS  
OFFICE OF FINANCE  
ACCOUNTING DIVISION

**SECOND REQUEST FOR REFUND**

Director of the U.S. Patent  
and Trademark Office

S I R :

Attached hereto are copies of our original REQUEST FOR REFUND, dated August 5, 2003, and our October 2002 Monthly Statement of Deposit Account 06-1378. To date, we have not received a refund nor any further communication with regard thereto.

It is respectfully requested that the Patent Office promptly credit the \$180 fee, charged in error on October 24, 2002 (Control No. 1, Fee Code 1806), for an Information Disclosure Statement. It has been three years since the Office of Finance reviewed this matter.

Respectfully submitted,



Richard S. Barth  
Reg. No. 28,180

Frishauf, Holtz, Goodman & Chick, P.C.  
220 Fifth Avenue - 16th Floor  
New York, New York 10001-7708  
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Attorney Docket No. 960253CIP/HG

IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE

Applicant(s): Mitsuru ADACHI et al.

Serial No. : 09/490,983

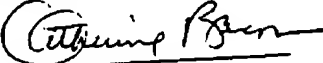
Filed : January 24, 2000

For : METHOD AND APPARATUS FOR  
SHAPING SEMISOLID METALS

ATTENTION: OFFICE OF FINANCE  
ACCOUNTING DIVISION  
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Catherine Bacon

Dated: August 5, 2003

REQUEST FOR REFUND

Director of the U.S. Patent  
and Trademark Office

S I R :

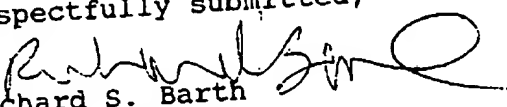
Attached hereto is a highlighted copy of our October 2002  
Monthly Statement of Deposit Account 06-1378. The \$180 fee,  
charged on October 24, 2002 (Control No. 1, Fee Code 1806) for  
submission of an INFORMATION DISCLOSURE STATEMENT is respectfully  
submitted to be in error for the following reason.

An Information Disclosure Statement was filed on October 7,  
2002 which was before the first Office Action on the merits dated  
June 4, 2003 (37 CFR 1.97(b)(3)). The Restriction Requirement,  
mailed December 4, 2001 was not an Office Action on the merits.

No fee is required for submission of an Information  
Disclosure Statement before the first Office Action on the merits  
(see 37 CFR 1.97 (b)(3)).

Therefore, it is respectfully requested that the Patent  
Office credit the \$180, charged in error, on October 24, 2002  
to the undersigned's Deposit Account 06-1378.

Respectfully submitted,

  
Richard S. Barth  
Reg. No. 28,180

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# MONTHLY STATEMENT OF DEPOSIT ACCOUNT

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Washington, D.C. 20231

Account No.	061378
Date	10-31-02
Page	1

FRISHAUF, HOLTZ, GOODMAN LANGER & CHICK FINA  
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NEW YORK NY 10017-2023

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10	23	02	11	09799388	01109/LH	1806	180.00	2861.96
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